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CIA Needs a Reprimand

MORE THAN a mild sense of outrage might well be the citizen's reaction to the behavior of the Central Intelligence Agency in a case under trial in Baltimore, Md.

An ostensible engineer in the employ of the U.S. Bureau of Public Roads publicly denounced a former Estonian, now living in Canada, as a Russian secret police agent. When the Estonian-Canadian responded with a suit for slander, the CIA came forward, identified the engineer as one of its occasional agents, and claiming that their man's remarks were "privileged" because they were made by a "government official," wants the case dismissed.

The federal judge in the case is not about to allow quick dismissal of the suit. We think he should not. To let this sort of arbitrary action go unchallenged would be to create a mischief-making precedent.

In this case it is a foreigner who is involved, but next time it could just as well be an American citizen who could be accused of all kinds of misconduct, or treason, and stripped of all right to recourse, all means of a fair trial to clear his name. If the CIA, or the FBI or any government agency can make such accusations and then retreat into an impregnable shell of "privilege," then what used to be called McCarthyism is made an instrument of official policy.

President Johnson and, to a greater degree, Vice-President Humphrey claim to be libertarians, staunch defenders of every citizen's civil rights. The CIA is the executive department's particular responsibility, almost beyond the reach of Congress.

It seems to us, therefore, that it is now up to the administration to show its political color by rescinding this bit of CIA arrogance—and, incidentally, to yank that agency out of its asserted domestic "policy making" role.